

## REMARKS

Claims 1-16 are pending in this Application. Claims 1, 4-6, 9, 11-13, and 15-16 are amended with this Response, as are the Drawings and Specification. Applicant respectfully thanks the Examiner for indicating the allowable subject matter of claims 13-16.

### Objections to the Specification and Drawings

The Examiner objects to the Specification and Drawings for the various reasons listed at pages 2 and 3 of the Office Action. In Response, Applicant respectfully amends the Specification and Drawings, and explains that the strut 44 connects the two stiffening bars 12 via slots in the stiffening bars 12 (please see Figure 9)

### Rejections under 35 U.S.C. §112, second paragraph

Claims 4-7 and 9 are rejected under 35 U.S.C. §112, second paragraph for being variously indefinite. In response, Applicant respectfully amends the claims.

### Rejections under 35 U.S.C. §102(b)

Claims 1-2, 6, 8, and 9 have been rejected under 35 U.S.C. §102(b) as being anticipated by United States Patent No. 4,938,273 to Dubbelman (“Dubbelman” hereinafter). Applicant respectfully traverses this rejection.

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. V. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Applicant’s amended claim 1 recites, *inter alia*:

“the shutter being pressed against a surface of the slide at an area where a lateral extent of the shutter crosses and overlaps with an extent of at least one of the two vertical slides.”

Dubbelman does not teach a lateral extent of a shutter to cross and overlap with an extent

of a vertical slide. On the contrary, referring to Figures 3, 5, and 7, Dubbelman teaches a door leaf 1 that is flush with the rail 9 (please see the cross sectional view in Figure 3 in particular). The door leaf 1 includes stiffened panels that alternate with fully flexible panels, and are provided with guide rollers 15 that are engaged in three parallel chambers of the rail 9. Accordingly, because each of the guide rollers 15 are engaged in the three parallel chambers of the rail 9, the leaf 1 could not be positioned in any way but flush against the rail 9 as shown in Figure 3. As such, the leaf 1 does not and cannot overlap with the rail 9, as recited in Applicant's amended claim 1.

For at least these above reasons, Applicant respectfully submits that Dubbelman does not teach every element of Applicant's claim 1, or claims 2, 6, 8, and 9 that depend respectfully therefrom. Therefore, it is respectfully asserts that claim 1, 2, 6, 8, and 9 are not anticipated by Dubbelman.

#### Rejections under 35 U.S.C. §103(a)

Claims 4, 5, 7, and 10-12 have been rejected under 35 U.S.C. §103(a) as being obvious over Dubbelman in view of United States Patent No. 5,056,579 to Krafutler ("Krafutler" hereinafter). Applicant respectfully traverses this rejection.

For an obviousness rejection to be proper, the Examiner must meet the burden of establishing that all elements of the invention are disclosed in the prior art and that the prior art relied upon, coupled with knowledge generally available in the art at the time of the invention, must contain some suggestion or incentive that would have motivated the skilled artisan to modify a reference or combined references. *In re Fine*, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988); *In Re Wilson*, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970); *Amgen v. Chugai Pharmaceuticals Co.*, 927 U.S.P.Q.2d, 1016, 1023 (Fed. Cir. 1996).

Claims 4, 5, 7, and 10-12 depend from claim 1. As such, for at least the reasons discussed in the above 102 rejection, Applicant respectfully asserts that Dubbelman does not teach every element of Applicant's claims 4, 5, 7, and 10-12. Since Krafutler does not remedy the deficiencies of Dubbelman, Applicant further asserts that the proposed combination of Dubbelman and

Krafutler does not teach every element of Applicant's claims 14, 5, 7, and 10-12. Accordingly, Applicant respectfully submits that *prima facie* obviousness does not exist regarding claims 4, 5, 7, and 10-12 with respect to the proposed combination Dubbelman and Krafutler. Since the proposed combination of Dubbelman and Krafutler fails to teach or suggest all of the limitations of claims 4, 5, 7, and 10-12, clearly, one of ordinary skill at the time of Applicant's invention would not have a motivation to modify or combine the references, or a reasonable likelihood of success in forming the claimed invention by modifying or combining. Thus, here again, *prima facie* obviousness does not exist. *Id.*

Conclusion

Applicant believes that all of the outstanding objections and rejections have been addressed herein and are now overcome. Entry and consideration hereof and issuance of a Notice of Allowance are respectfully requested.

Applicant hereby petitions for any extension of time under 37 C.F.R. 1.136(a) or 1.136(b) that may be necessary for entry and consideration of the present Reply.

If there are any charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 06-1130 maintained by Applicants' attorneys.

The Office is invited to contact applicant's attorneys at the below-listed telephone number concerning this Amendment or otherwise regarding the present application.

Respectfully submitted,  
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